



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

3761
PATENT
L. Park
10-18-02
#7/IDS

In re the application of:

Edward CUMMING

Application No. 09/730,628

Filed: December 5, 2000

For: BREATHING APPARATUS

)
) Group Art Unit: 3761

)
) Examiner: D. Erez

)
) Atty. Docket No. MEWBP001

)
) Date: October 2, 2002

RECEIVED

OCT 15 2002

TECHNOLOGY CENTER R3700

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on October 2, 2002.

Signed:


Diane Schwanbeck

INFORMATION DISCLOSURE STATEMENT


Commissioner for Patents
Washington, DC 20231

Dear Sir:

The references listed in the attached PTO Form 1449, copies of which are attached, may be material to examination of the above-identified patent application. Applicant submits these references in compliance with his duty of disclosure pursuant to 37 CFR §§ 1.56 and 1.97. The Examiner is requested to consider these references and to acknowledge such consideration by initialing the attached PTO Form 1449 at the appropriate locations.

Applicant states that each item of information listed in the attached PTO Form 1449 was cited in a communication in a counterpart European application not more than three months prior to the filing of this IDS. For the Examiner's use and information, a copy of the Search Report in the corresponding European application is attached. The relevance of Reference L, which is in French, is set forth in the Search Report. If any fees are due to effect consideration of the references, then the Commissioner is hereby authorized to charge such fees to Deposit Account 50-0805 (Order No. MEWBP001).

Respectfully submitted,
MARTINE & PENILLA, LLP



Peter B. Martine
Reg. No. 32,043

710 Lakeway Drive, Suite 170
Sunnyvale, CA 94085
Telephone: (408) 749-6900
Customer Number 25920

Attorney Docket No. MEWBP001